ZB# 99-13

Bila Family Partnership

65-2-12

#99-13-Bila-Partners

Carie 26, 1999, motion to sharing:

Public Hewing:

Sharked

Shark

4....

• •

CASH PT 016840 039278

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)
APPLICANT: Bila Partners FILE# 99-13.
RESIDENTIAL: \$50.00 COMMERCIAL: \$150.00 INTERPRETATION: \$150.00
AREA X Sign for Video USE
APPLICATION FOR VARIANCE FEE
6/13/29-
AREA X Sign for Video USE CK. # APPLICATION FOR VARIANCE FEE. \$ 150.00 14102 6/13/19- ESCROW DEPOSIT FOR CONSULTANT FEES. \$ 500.00 Ct # 14103
DISBURSEMENTS: 5/13/99.
STENOGRAPHER CHARGES: \$4.50 PER PAGE
PRELIMINARY MEETING-PER PAGE 12.19.15. \$ 67.50. 2ND PRELIMINARY- PER PAGE
ATTORNEY'S FEES: \$35.00 PER MEEETING
PRELIM. MEETING: 47049.
MISC. CHARGES:
TOTAL
LESS ESCROW DEPOSIT \$ 500,00 (ADDL. CHARGES DUE) \$ 7 (ADDL. CHARGES DUE) \$ 344,50

14103

BILA FAMILY PARTNERSHIP

158 N. MAIN STREET FLORIDA, NY 10921 Bank of New York THE BANK OF NEW YORK 252 MAIN STREET GOSHEN, NY 10924

50-235/219

CHECK

PAY

**** FIVE HUNDRED AND 00/100 DOLLARS

TO THE ORDER OF

DATE 05/13/99

\$500.00****

Town of New Windsor 555 Union Ave.

New Windsor, NY 12553

AUTHORIZED SIGNATURE

28A # 99-13

#014103# #021902352# #6801431397#

14102

BILA FAMILY PARTNERSHIP

158 N. MAIN STREET FLORIDA, NY 10921 Bank of New York THE BANK OF NEW YORK 252 MAIN STREET GOSHEN, NY 10924

50-235/219

CHECK

PAY

**** ONE HUNDRED FIFTY AND 00/100 DOLLARS

TO THE ORDER OF

DATE 05/13/99

\$150.00****

Town of New Windsor 555 Union Ave.

New Windsor, NY 12553

AUTHORIZED SIGNATURE

28A #99-13

#014102# #021902352# #6801431397#

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: April 16, 1999

APPLICANT: Bila Partners

158 North Street

Florida, New York 10921

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 16, 1999

FOR: 6' X 20' Wall sign

LOCATED AT: 374 Windsor Highway

ZONE: C Sec/Blk/Lot: 65-2-12

DESCRIPTION OF EXISTING SITE: Proposed Video Store

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed east wall sign will exceed maximum size.
- 2. Proposed east wall sign will exceed maximum amount of wall signs.

BUILDING INSPECTOR

PERMITTED 2'-6" X 10'
One wall sign

PROPOSED OR AVAILABLE:

VARIANCE REQUEST:

ZONE: C

USE: 48-18-H-B-1

SIGN: East

FREESTANDING:

HEIGHT:

6'

3'-6"

WIDTH:

20'

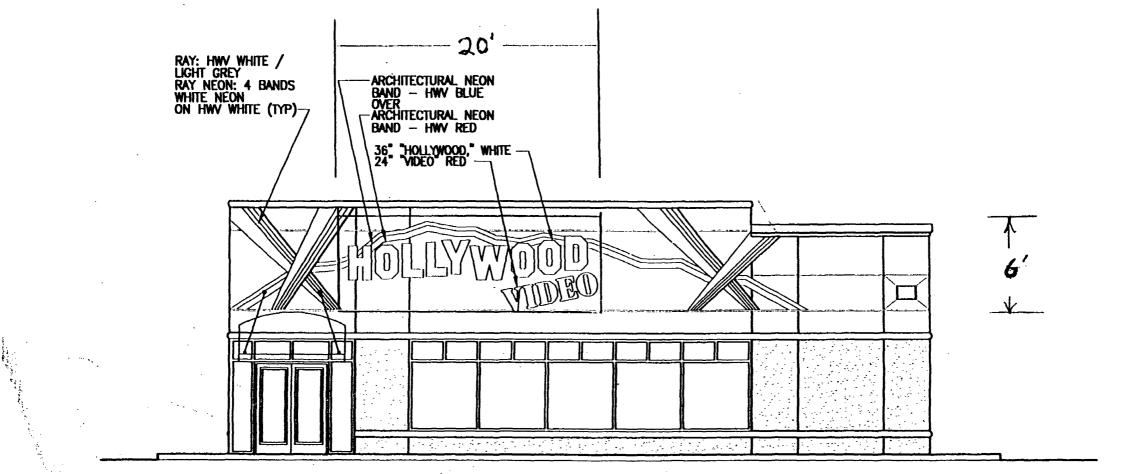
10'

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP



YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

- Other inspections will be made in most cases but those listed below must be made or Certificate or Occupancy may be withheld. Do not mistrake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction. When exclusing is complete and footing forms are in place (before gouring.) Foundation inspection. Check here for waterproofing and footing drains, inspect gravel base under concrete floors and understo plumbing.

 When framing is completed and before it is covered from inside and plumbing rough-in. Insulation. Plumbing final and final. Have on hand electrical inspection data and final cartified plot plan. Building is to be completed at this time. Well water test required and engineer's cartification letter for septic system required.

 Driveway inspection must meet approval of Town Highway Suberintendent. A driveway bond may be required.
 SSO.00 charge for any site that calls for the inspection twice.
 Permit number must be called in with each inspection.

- 19. Permit futurour must be cannot in whith each inoperator.

 10. There will be no inspections unless yellow permit card is posted.

 11. Saver permits must be obtained along with building permits for new houses.

 12. Segdic permit must be submitted with engineer's drawing and pert test.

 13. Road opening permits must be obtained from Town Clerk's office.

 14. All building permits will need a Cartificate of Occudancy or a Cartificate of Compliance and there is no fee for this.

PLEASE PRIKT CLEARLY FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises BILA Partnership
Asserts 158 North St. Floridany10921 Phone 51 7973
Nalling Address
Name of Architect PEG/PARK LLC
Address 30 Glenn St. White Plains 10603 Mone 949 6505
Name of Contractor Barry, Bette & LED Duke, Inc.
Address 52 Corp. Circle, AlbanyNY12789 Phone 518) 452-8200
State whether applicant is owner, lessee, agent, architect, engineer or builder Owner
If applicant is a corporation, signature of duly authorized officer.
Reame and title of corporate officers
FOR OFFICE USE ONLY
Dubbing Promit #
1. On what street is property located? On the N side of Route 32
and rest from the intersection of
2. Zone or use district in which premises are structed to property a flood zone?
3. Tax Man Description: Section (SE Block 2 Lot 12) 35 through 40
3. Tax Map Description: Section 65 Block 2 Lot 12 / 35 Enrough 40
4. State existing use and occupancy of pretribes and intended use and occupancy of proposed construction.
a. Existing use and occupancy Nidoo Storo See
Video Store, see "Retail D", attached 5. Natura of work icheck if applicables New Blog D Addition D Alteration D Repair D Removal D Demostron D Other
Signage. 6'x 20' SIGN - EAST Shop Rife PLAZA
E is this a corner lots . O x 20 5/8/0 - CASI STOP NOW PATER
7. Dimensions of entire new construction. Front Rear Depth Height No. of Stories
8. If dwelling, number of dwelling units: Mumber of dwelling units on each floor
Number of bedrooms Baths Tollets Heating Plant: Gas Oil Electric/Hot Air Hot Water
Heating Plant: Gas Oil Electric/Hot Air Hot Water Hot Water
9. If business, commercial or missed occupancy, specify nature and extent of each type of use
attached to building.
10. Settlemental contr.

Asst. Inspector: Frank Usl ew Windsor Town Hall SSS Union Avenu New Windsor, No W York 12553 014 565-4018 1914 365-4665 FAX

Mag insp	Examin	ed :	
Fire Insp	Evansio.		
		Ξ-	
	ADDIDV	₽_	
104		eg 🗀	
Pennit			
		_	

Pizzoning Board () Highway Dept () Sewer ()

Water () Zonling Board of Appeals ()

- A. This application must be completely filled in by typewriter of in ink and submitted in duplicate to the studing inspector.

 B. Plot plan showing location of locand buildings on premises, relationship to adjusting premises or public stress or areas, and giving—a detailed description of byout of property must be drawn on the diagram which is part of this application.

 C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used—and installed and outpils of structural, mechanical and plumbing installedons.

 D. The work covered by this application may not be commenced before the issuance of a Building Permit.

 E. Upon approval of this application, the Building inspector will issue a Building Permit to the applicant together with approved of the applicant together with approved.

- set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for Inspection throughout the progress of the work.

 F. No building shall be occupied or used in whole of in part for any purpose whatever until a Certificate of Occupancy shall have
- been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the duliding inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinancies of the Town of New Windsor for the construction of buildings, additions, or attentions, or for removal or generations or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain for, piece or parces of fand another building described-in this application and if not the owner, that he has been duty and property authorized to make this application and to assume responsibility for the owner in connection with this application.

BILA 158 North Street, Flori U. Elorida NY 10921 Signature of Applicants PLOT PLAN MOTE Locate as buildings and indicate at set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings. See attached. E W

S

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

Thelim.

April 26, 1999

71:30 pm

139-13

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: April 16, 1999

APPLICANT: Bila Partners

158 North Street

Florida, New York 10921

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 16, 1999

FOR: 6' X 20' Wall sign

LOCATED AT: 374 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 65-2-12

DESCRIPTION OF EXISTING SITE: Proposed Video Store

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed south wall sign will exceed maximum size.
- 2. Proposed south wall sign will exceed maximum amount of wall signs.



PERMITTED 2'-6" X 10' PROPOSED OR **VARIANCE** One wall sign **AVAILABLE**: **REQUEST:** ZONE: C USE,48-18-H-B-1 FREESTANDING: **HEIGHT:** WIDTH: 20' 10' **WALL SIGNS: TOTAL ALL SIGNS: FEET FROM ANY LOT LINE:**

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

MIPORTANT YOU MUST CALL POR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

gener trapections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withness, selectable an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating all of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any pred work must be reinspected after correction.

winen excavating is complete and footing forms are in place thefore pouring.) poundation inspection. Check here for waterproofing and footing drains, inspect gravel base under concrete floors and understab plumbing.

When framing is completed and before it is covered from inside and pumping rough-in.

INSTITUTION.

Malling Address

- insustion.

 Plumbing final and final. Have on hand electrical inspection data and final certified piot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.

 Environment in the septic system required and engineer's certification letter for septic system required.

 SOLID charge for any site that calls for the inspection twice.

 Permit number must be called in with each inspection.

 Taker will be no inspections unless yealow permit card is posted.

 Sewer permits must be contained along with building permits for new houses.

Owner of Prembes BILA Partnership

- 12. Septic permit must be submitted with angineer's drawing and pert test.
- 13. Road opening permits must be obtained from Town Clerk's Office.
- 14. All building permits will need a Certificate of Occupancy or a Certificate of Compilance and there is no fee for this.

Adores 158 North St. FloridaNY10921 Phone651 7973

PLEASE PRINT CLEARLY FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Address 3.0 Glenn St. White Plains 10603 Phone 949 6505 Name of Contractor Barry, Bette & LED Duke, Inc. Address 52 Corp. Circle, AlbanyNY12789 Phone 518) 452-8200 State whether applicant is owner, lessee, agent, architect, engineer or builder Owner If applicant is a corporation, signature of duly authorized officer. Plane and title of corporate officer Blading Permit 8 I. On what street is property located? On the No. 54de of Route 32 and rest from the influraction of the property a flood at 2 to 2 to 35 through 4 I. Tax Map Description: Section 65 Block 2 to 12 35 through 4	
Address 52 Corp. Circle, AlbanyNY12789 Phone 518) 452-8200 state whether applicant is owner, lessee, agent, architect, engineer or builder. Owner. If applicant is a corporation, signature of duly authorized officer. Rame and titue of corporate officer. Rame and titue of corporate officer. Rame and titue of corporate officer. In the corporate officer of the corporate officer of the corporate officer. In the corporate officer of the corporate of the corpo	
Address 52 Corp. Circle, AlbanyNY12789 Phone 518) 452-8200 State whether applicant is owner, lessee, agent, architect, engineer or builder. Owner. If applicant is a corporation, signature of duly authorized officer. Rame and title of corporate officer. Building Points 8 On what street is property located? On the No.5,8 or William and rest from the inflavraction of the property a flood at 2 cone or use district in which premises are situated.	
State whether applicant is owner, lessee, agent, architect, engineer or builder OWNET If applicant is a corporation, signature of duly authorized officer. Rame and title of corporate officer FOR OFFICE USE ONLY Building Purmit 8 On what street is property located? On the No.5E or W feet from the intersection of the property a flood of the property and the property a flood of the property and the proper	
FOR OFFICE USE CHILY Building Permit 5 On what street is property located? On the No.5.E or W side of Route 32 and feet from the intersection of Expression of Some Street in which premises are situated is property a flood to the Some Street in which premises are situated is property a flood to the Some Street in which premises are situated is property a flood to the Some Street in which premises are situated in the situated	
FOR OFFICE USE ONLY Building Points 5 On what street is property located? On the No.5.E or W; side of Route 32 and rest from the intersection of the property a flood at the property a flood at the property and the property an	
Building Pounit #	
zone or use district in which premises are situated is property a flood to	
zone or use district in which premises are situated is property a flood to	
Tax Main Description: Section 65 Block 2 Lot 12, 35 through	
	10
State existing use and occupancy or premises and intended use and occupancy of proposed construction.	
a. Editing use and occupancy h. Intended use and occupan	3 Y
Nature of work thack if applicable New Bldg D Addition D Alteration D Removal D Demolition D Signage. Signage. Signage. Signage.	Xther
Dimensions of entire new construction. Pront Rear Depth Height No. of stories	
. If dwelling, number of dwelling units: Number of dwelling units on each	floor
Heating Plant: Gas Oil ElectricHot Air Hot Water Hot Water	
attached to building.	
a Estimated cost Fee \$150	

RECEIVED

APR 1 2 1999

BUILDING DEPARTMENT

APPLICATION FOR BUILDING PERMIT TOWN OF HIM WHIDSOR, DRANCE COUNTY, NEW YORK cant to Hear York State Bulle

luliding inspector: Michael L. Babcock Asst. Inspector: Frank Usi New Windsof Town Hall SSS Union Avenu 914 563-4618 1914 963-4665 FAX

10921

	-					
100			-			
	. Patening Board ()	Highway Dept ()	Sewer ()	Mater O	Zoning Board of Appear	
1						

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.

 R. Pot plan showing location of locand buildings on premises, relationship to adjoining premises or public streets or areas, and a giving a decided description of layout of property must be drawn on the diagram which is part of this application.

 C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the mature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.

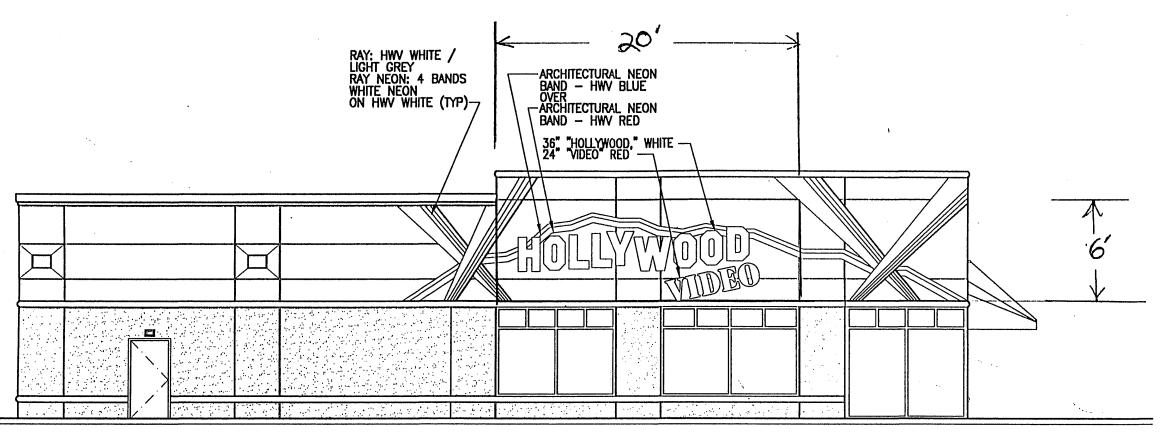
 D. The work covered by this application may not be commenced before the issuance of a Building Permit.

 E. Upon approval of this application, the Building inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspecification.
- Inspection throughout the progress of the work.

 F. No building shall be accupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HERESTY MADE to the Building inspector for the Issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certains that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume

e Locate all Duliding lines clearly and di	PLOT PLAN	th Street Florida (Address of Applicant)
e attached.	N_	
W		E



SOUTH ELEVATION

						58628	8				
				•"	WEIGHT	M NUM	IBER PATT	ERN NO.	PART NUMBER	NO. REQD.	NEXT ASSEY
					DRAWN	M MOYER . 3/22/99	FRACTION ±1/1	6 [B]	LAMR	Since	
				INFORMATION SHOWN ON THIS DRAWING IS PROPRIETARY AND THE SOLE PROPERTY OF BLAIR	APPROVED	K RITCHEY	.XX .XXX ANGULAR ±1/2	- ALTOON	ISSELL AVENUE A, PENNSYLVANIA 1 49-8287 FAX (814	6601 4) 949-829:	B E-MAIL bl
иSМ		KR	STOREFRONT ELEVATION CHANGES	SIGN CO. AND IS NOT TO BE REPRODUCED, DISCLOSED OR	RELEASE	DATE		SCALE	1/8" = 1'-0"		SHEET 1
	CH'KD.	APP'D.		TRANSMITTED TO OTHERS FOR	TITLE	HOLI	LYWOOD VIDEC		SIZE DRAWING		95-99
		-	REVISIONS	ANY PURPOSE NOT AUTHORIZED BY RIAIR SIGN OF	IRIG "V	" TOWN C	YNTRE VAII	S GATE N	JY I. C 11	VV V - U-F	35-33

#99-13

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: April 16, 1999

APPLICANT: Bila Partners

158 North Street

Florida, New York 10921

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 16, 1999

FOR: 4' X 20' Wall sign

LOCATED AT: 374 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 65-2-12

DESCRIPTION OF EXISTING SITE: Proposed Video Store ShopeRite Plaza

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed west wall sign will exceed maximum size.

BUILDING INSPECTOR

PERMITTED 2'-6" X 10'

PROPOSED OR AVAILABLE:

VARIANCE REQUEST:

1'-6"

10'

ZONE: C

USE: 48-18-H-B-1

SIGN: West

FREESTANDING:

HEIGHT:

WIDTH:

4'

20'

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

MIPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

owner inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be wronerd, a mistake an unscreeduled inspection for one of those listed below. Unless an inspection report is left on the job indicating avail of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any proved work must be reinspected after correction.

When excavating is complete and footing forms are in place (before pouring). Foundation inspection, Check here for waterproofing and footing drains,

inspect gravel base under concrete floors and understab plumbing.

When framing is completed and before it is covered from inside and plumping rough-in.

insutation.

Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.

vay inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.

SSO.00 charge for any size that calls for the inspection twice. Permit number must be called in with each inspection.

Existing use and occupancy

7. Dimensions of entire new construction. Front

IL If dwelling, number of dwelling units:

Number of bedrooms

Signage.

Formated cost

10

Nature of work tcheck if applicable New Bldg (2) Addition (3) Alteration (3)

There will be no inspections unless yellow permits card is posted.
 Sewer permits must be obtained along with building permits for new houses.

12. Septic permit must be submitted with another's drawing and perc test.

13. Road opening permits must be obtained from Town Clerk's office.

14. All building permits will need a Cartificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises BILA Partnership
Address 158 North St. FloridaNY10921 - Phone651 7973
Nating Address
Name of Architect PEG/PARK LLC
Address 30 Glenn St. White Plains 10603 Phone 949 6505
Name of Contractor Barry, Bette & LED Duke, Inc.
Address 52 Corp. Circle, AlbanyNY12789 Pron(518) 452-8200
State whether applicant is owner, lessee, agent, architect, engineer or builder Owner
Y applicant is a corporation, signature of duly authorized officer.
FOR OFFICE USE ONLY Building Pount 8
1. On what street is property located? On the N side of Route 32
and these from the intersection of
2. Zone or use district in which premises are situated
YN
3. Tax Map Description: Section 65 Block 12, 35 through 40

_Video Store, see "Retail D"

Electric/Hot Air

ed occupancy, specify radure and extent of each type of use

If Carage, number of cars

attached to building

intended use and occupancy

attached

No, of stories

(west)

number of dwelling units on each floor

Height

RECEIVED

APR 1 2 1999

BUILDING DEPARTMENT

APPLICATION FOR BUILDING PERMIT TOWN OF NEW WINDSOR, GRANGE COUNTY, NEW YORK Pursuant to New York State Building Code and Town Ordinances

Building inspector: Michael L Babcock Asst. Inspector: Frank Usl en Windsor Town Hall SSS Union Ave New Windsor, New York 12553 O14 563-4618

Blog Inso Examines Fire Insp Examines ADDCOVED Disapproved Nt No.

					,	
SHARE LOC						
among right		T. T			- :	AT A SECTION
	Franching Board (1)	Highway Dept C	Sewer O	Water C	ZOTHING BORTO OF Appea	es C
		-				_

- A. This application must be completely filled in by typewriter or in link and submitted in duplicate to the nutding inspector.

 B. Prot pain showing location of located buildings on premises, relationship to adjoining premises or public stress or areas, and a giving a detailed description of layout of property must be drawn on the diagram which is part of this application.

 C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets.
- C. This apparation must be accompanied by two completes area or plants strowing proposed construction and two completes area of specifications. Plant and specifications shall describe the nature of the work to be performed, the materials and solubment to be used—and inscalled and optate of structural, mechanical and plumbing installations.

 D. The work covered by this application may not be commenced before the Issuance of a Building Permit.

 E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approval.
- set of pare and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for Inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building inspector for the issuance of a Building Permit pursuant to the New York Building Construction Cope Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demoision or use of property as needle described. The applicance agrees to comply with all applicable laws, ordinances, regulations and cardinal that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume stollty for the owner in connection with this application.

Ŀ. BILA 158 North Street Flori Florida NY 10921 Cignature of Applicant PLOT PLAN Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings. NOTE See attached. W E

- 24"/12" UNIBODY SIGN

WEST ELEVATION

	5862	8					
WEIGHT	M NU	ABER .	PATTER	N NO.	PART NUMBER	NO. REQD.	NEXT ASSEM
DRAWN	M MOYER 3/22/99	FRACTION	ANCES 1 ±1/16	[3]	7/1/12	(Qo	an Co.
CHECKED	2++ + +	.xx		LUIL			

NEW WINDSOR ZONING BOARD OF APPEALS	65-2-12
In the Matter of the Application of	MEMORANDUM OF DECISION GRANTING
BILA FAMILY PARTNERSHIP	AREA VARIANCES
#99-13.	•
X	

WHEREAS, BILA FAMILY PARTNERSHIP, with offices located at 158 North Main Street, Florida, New York 10921, has made application before the Zoning Board of Appeals for a 1 ft. 6 in. sign height and 10 ft. sign width variance for west wall; and (2) 3 ft. 6 in. sign height and 10 ft. sign width variance for south wall, plus variation of Section 48-18H(b)(1) of the Supplemental Sign Regulations to allow wall signs at proposed video store (Hollywood Video) at 374 Windsor Highway, Big V Plaza on Route 32 in a C zone; and

WHEREAS, a public hearing was held on the 14th day of June, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared by James G. Sweeney, Esq. and Jeff Rosenberg, a partner in Bila Family Partnership, and Engineer Howard Albert; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no spectators spoke, neither in favor nor against the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in <u>The Sentinel</u>, also as required by law.
 - 2. The evidence presented by the Applicant showed that:
- (a) The property is a commercial property consisting of a large shopping center located on a busy commercial state highway, in a commercial neighborhood.
- (b) The Applicant proposed that in connection with a substantial reconstruction and reconfiguration of the shopping center known as Big V, that sign variances be granted.

- (c) Sign variances were previously granted to this Applicant in September of 1998. Since that time, the Applicant has rented one freestanding building to a particular vendor and seeks to expand the variances already given with respect to that particular vendor and the freestanding building which it will occupy.
- (d) The signs will not be flashing nor will they have neon. The signs will be internally illuminated
- (e) The signs as proposed will consist of individual letters which will not in fact take up all of the room as calculated by the Building Inspector, since the Building Inspector calculates the signage by "squaring off" the proposed sign.
- (f) Because of the location of the freestanding building and the traffic around it, signs on three sides of that building are requested.
- (g) The building measures 60 x 83 ft. The proposed signs do not project over the roof Line of the building and will not be any higher than the signs on other commercial buildings in the neighborhood.
- (h) This building is located in a depression so that part of the building cannot be readily seen.
- (i) The signs as proposed will be similar to other signs in the neighborhood and will be no larger than others that exist in the neighborhood.
- (j) The proposed signs on the building itself will not impede the vision of adjacent motorists.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

- 1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- 2. There is no other feasible method available to the Applicant which can produce the benefits sought.
- 3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
- 4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
- 5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

- 6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
- 7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- 8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for 1 ft. 6 in. sign height and 10 ft. sign width variance for west wall; and (2) 3 ft. 6 in. sign height and 10 ft. sign width variance for south wall plus variation of Section 48-18H(b)(1) of the Supplemental Sign Regulations to allow wall signs at proposed video store (Hollywood Video) located at 374 Windsor Highway at Big V Plaza on Route 32 in a C zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 9, 1999.

Chairman

Jam Wegant

Date 7/6 , 19 99.

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

TO Bila Family Partnership DR 158 N. Main Street, Florida, Ny 10921

DATE		CLAI	MED	ALLO	OWED
7/6/90	Refund of Eprino Deposit-#99-13	344.	50	,	
1 111	U U U			. •	<u> </u>
				·	
					·
	Approved: Patricial Bankat 26A.				
	28A.				

Sign Here

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Date 6	32/99	19
	7	, -/

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

то	rances Roth 165 N. Drury Lane Newburgh, N.Y. 12550	DR.

DATE	CLAIMED	ALLOWED
6/14/99 Zoning Bourd Mtg Misc. 2	7500	
Misc. 7		
Burton - 2		
Bila -4 \$18.00		
Handel-3		
Husted-8		
Paulik -3		
JMR-3		
JMK-3	1/2 00	
134		
	187 0	

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here ...

Amount Claimed \$

Amount Allowed \$

Filed

I hereby certify that at a meeting of
said Town Board held at the office of the
Town Clerk on the day

of day

for the sum of

Clerk

Town of New Windsor

PUBLIC HEARINGS:

BILA PARTNERS

MR. NUGENT: Request for 1 ft. 6 in. sign height and 10 ft. sign width variance for west wall; and (2) 3 ft. 6 in. sign height and 10 ft. sign width variance for south wall plus variation of Section 48-18H(b)(1) of the Supplemental Sign Regulations to allow wall signs at proposed video store at 374 Windsor Highway Big V Plaza in a C zone.

James Sweeney, Esq. and Mr. Jeff Rosenburg appeared before the board for this proposal.

MR. TORLEY: Is there anyone in the audience with regard to this public hearing?

MR. NUGENT: Let the record show there is know one in the audience.

MR. SWEENEY: Good evening, I'm Jim Sweeney on behalf of Bila Partners. I have with my Jeff Rosenburg who is the primary operative in Bila Partners and also Howard Albert from PDG/Park Design Engineers. Let me bring you back up to date and these two gentlemen can really take over. We're talking about a sign variance on a retail D, which has been leased to Hollywood Video and we're talking about a sign of, actually three signs that would be on the front, the side and the other side, the orientation is north, I believe northeast and west or we call that south.

MR. ROSENBURG: South, I think.

MR. SWEENEY: Anyhow, it's three sides.

MS. BARNHART: Mr. Sweeney, excuse me, just for the record, we did send out 135 addressed envelopes to property owners within 500 feet.

MR. SWEENEY: Thank you. You may remember back in September of last year, we were here in front of you and did secure from you a grouping of variances and among them were the facade variances for signs on the

buildings as they were proposed at the shopping center and they were more generic and generalized and we found ourselves in a quandary with what to do with Hollywood Video because the sign at Hollywood Video has an irregular shaped sign, see it here, and you remember that it's a fairly random type sign that really has letters that are six feet high and expand on the short wall a distance of 20 feet and on the long wall, well, I'm wrong, there's 20 feet on all walls and 6 feet high on the front and 4 feet high on the sides. So, we decided what we would do is apply strictly for the sign permit and of course, Mike turned us down and we're here really look for a variance from the basic sign requirements of your ordinance which are 2 1/2 feet by 10 basically around the walls, all walls, no matter where they are and also the number of signs that were involved which is the three on that building. You have heard this before a month or so before when we were here on the intake application and I don't think there's anything new that has changed. I'll try to answer any questions, Howard can answer them and Jeff can answer them as well as I can.

MR. TORLEY: Just for the record, you're calculating the sign areas by squaring off the irregular shape?

MR. SWEENEY: That's what Mike Babcock did, he took a square around the random Hollywood script.

MR. NUGENT: These internally lit?

MR. ROSENBURB: Yes.

MR. KANE: No flashing lights whatsoever?

MR. ROSENBURG: Not as far as I'm aware of.

MR. SWEENEY: No.

MR. ROSENBURG: Spotlights and stuff like that, I don't think so.

MR. TORLEY: That's a corporate logo?

MR. ROSENBURG: That's correct, every single store that

they have actually this, this is as we mentioned before, this is smaller than what they would have liked because we came in when they approached us, we said it was too big for what they wanted, they had to come with the next size down.

MR. KANE: For the record, the variance that we're giving you for the size we're using is because we squared it off, actually the sign doesn't take up that much room.

MR. ROSENBURG: Yes.

MR. TORLEY: Because of the nature of the traffic flow, you feel you require signs on all three sides?

MR. ROSENBURG: Right, because it fronts on three major roads. However, the two major signs for the roadway are this elevation, which is the east elevation and south elevation smaller sign is on Old Temple Hill Road.

MR. ROSENBURG: We're moving the drive, the drive comes in this way, we're moving it this way so they felt that it was important that they put a sign for people coming in so they don't look at the back of a building when they drive in through that entrance.

MR. ALBERT: That elevation is much smaller.

MR. KANE: Size of the sign also comparatively fits with other signs that are in the neighborhood in that area too.

MR. ROSENBURG: Yes.

MR. NUGENT: What's the overall length?

MR. ALBERT: Overall length is 60 feet and 83 feet.

MR. NUGENT: Big building.

MR. ROSENBURG: It's a little under 5,000 square feet, it's not like three quarters of the building.

MR. TORLEY: Sign does not project over the roof line?

MR. SWEENEY: No, it doesn't.

MR. ALBERT: Colors of the building tie in.

MR. ROSENBURG: What we did was because the building sits down a little bit, we raised, this comes up a little bit to cover the air conditioning units that are going to be on the top so that as you come down, hopefully that view is minimized so you don't see the rooftop units.

MR. ALBERT: And the materials and the color tie back into the proposed center.

MR. TORLEY: Accept a motion on this matter?

MR. NUGENT: Yes.

MR. TORLEY: I move we grant Bila Partners their requested sign variances and exemption from the sign Section 48-18H(b)(1).

MR. KANE: Second the motion.

ROLL CALL

MR. TORLEY AYE MR. KANE AYE MR. NUGENT AYE

THOMAS J. CIONE ATTORNEY AT LAW

THOMAS J. CIONE*

ADMITTED BY & PATENT AND TRADEMARK OFFICE

ONE HARRIMAN SQUARE P.O. BOX 615 GOSHEN, NEW YORK 10924

(914) 615-1331 FAX (914) 615-1332

May 14, 1999

Town of New Windsor 555 Union Avenue New Windsor, New York 12553 Attn: Ms. Patricia A. Barnhart

Re: Bila Partners

Notice of Public Hearing

Dear Ms. Barnhart:

Enclosed please find the SASEs containing the Notice of Public Hearing for June 14, 1999 to all residents on the Variance List.

Please fax back to me a copy of the affidavit of mailing, at your earliest convenience.

Thank you.

Very truly yours,

Thomas J. Cione

TJC:lda

cc: Mr. Jeff Rosenberg

ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR COUNTY OF ORANGE: STATE OF NEW YORK	
In the Matter of the Application for Variance of Bila Partners' Applicant.	AFFIDAVIT OF SERVICE BY MAIL
STATE OF NEW YORK)) SS.: COUNTY OF ORANGE)	
PATRICIA A. BARNHART, being duly sworn, deposes and That I am not a party to the action, am over 18 years of age and Avenue, Windsor, N. Y. 12553. That on 1999, I compared the 135 addressed the Public Hearing Notice pertinent to this case with the certified list	and reside at 7 Franklin envelopes containing et provided by the
Assessor regarding the above application for a variance and I find t identical to the list received. I then mailed the envelopes in a U.S. D. Town of New Windsor.	
Patricia A.	Barnhart
Sworn to before me this day of 1804, 1999.	
Debotal Guer Notary Public	

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15,

Town of New Windsor

555 Union Avenue New Windsor, New York 12553 Telephone: (914) 563-4631 Fax: (914) 563-4693

Assessors Office

May 11, 1999

Mr. Thomas J. Cione, Esq. 1 Harriman Square P.O. Box 615 Goshen, New York 10924

RE: Big V Shopping Center 65-2-12

Dear Mr. Cione, Esq.:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$150.00, less your deposit of \$25.00. Please remit the balance of \$125.00 to the Town Clerk at the above referenced parcel.

Sincerely,

J. Cook Pa

Leslie Cook Sole Assessor

/ev Attachments

Cc: Pat Barnhart, ZBA

City School District of Newburgh Vails Gate Elementary School 98 Grand Street Newburgh, NY 12553

Richard F. & Diane M. Storey 5 Mark Street New Windsor, NY 12553

Christopher & Christina Mullen 62 Continental Drive New Windsor, NY 12553

Richard J. & Jeannie M. Crook 64 Continental Drive New Windsor, NY 12553

John & Mary V. Rohan 66 Continental Drive New Windsor, NY 12553

Edward L & Linda Christian' 68 Continental Drive New Windsor, NY 12553

Tower Management Financing Partnership LP 680 Kinderkamack Rd River Edge, NJ 07661

STP/JMK Properties, Inc. 298 Forge Hill Road New Windsor, NY 12553

Carmine Andriuolo 363 Windsor Highway
New Windsor, NY 12553

County of Orange 255-275 Main Street Goshen, NY 10924 Vittorio & Lucy Vitolo 5 Vista View Terrace Middletown, NY 10940

Orfeo E. Cicchetti
33 Sherwood Drive
Mastic Beach, NY 11951

Reziero Vitolo V 137 Mill Street Wallkill, NY 12589

Bank of New York

Property Management Attn: P.Culas
48 Wall Street 24th Floor
New York, NY 10286

Consolidated Rail Corp. 6 Penn Center Plaza Philadelphia, PA 19103

Walter Kroposki Living Trust & Amelia Kroposki Quaker Hill Road, Box 731 Monroe, NY 10950

Blix Corporation P.O. Box 1002
Highland Mills, NY 10930

Lizzie Realty LLC 24 Dunning Road Middletown, NY 10940

Charles & Rose Daidone 250-260 Temple Hill Road New Windsor, NY 12553

Norstar Bank of Upstate NY V Facilities Management P.O. Box 911 Newburgh, NY 12550 Mans Brothers Realty Inc. P.O. Box 247
Vails Gate, NY 12584

Joan A. Shedden V Box 608 A Vails Gate, NY 12584

John Aquino & Gregory Mellick 9 Hawthorne Pl., Apt. 2N Boston, Mass 02114

The Vails Gate Fire Co. P.O. Box 101 Vails Gate, NY 12584

Sorbello, Bouyea, King C/o Robert K. Bouyea
505 North Riverside Road
Highland Mills, NY 12528

Albany Savings Bank v 94 Broadway Newburgh, NY 12550

Bila Family Partnership 158 North Main Street Florida, NY 10921

Arthur & Julie Stockdale⁴ 35 Kriste Lane Jerico, VT 05465

Thomas & Kathleen Manning 2 Creek Run Road Newburgh, NY 12550

Mani Inaganti V P.O. Box 787 Vails Gate, NY 12584 Terry & Lorraine De Couto 63 Old Temple Hill Road New Windsor, NY 12553

Wayland & Joy Sheafe 1661 Little Britain Road Rock Tavern, NY 12575

Antonio & Gemma Tornatore 82 Continental Drive New Windsor, NY 12553

Walter & Lovella Nichols P.O. Box 579
Vails Gate, NY 12584

David & Elizabeth Betrix P.O. Box 465 Vails Gate, NY 12584

Frances Travella 152 Temple Hill Road Vails Gate, NY 12584

Eugene & Ruth Andrews P.O. Box 292 Vails Gate, NY 12584

Antonio & Giencinta DeDominicis P.O. Box 327
Cornwall, NY 12518

Robert Babcock Liv. Tr. W/ Robert or Catherine Babcock Trustees 324 Station Road Rock Tavern, NY 12575

Kelly Family Partnership P.O. Box 38 Vails Gate, NY 12584 R & S Foods Inc. 249 North Craig Street Pittsburgh, PA 15213

NYS Dept. of Transportation ✓ Office of the State Comptroller A.E. Smith Office Bldg. Albany, NY 12236

MCB Partnership V 521 Green Ridge Road Scranton, PA 18509

FFCA Acquisition Corp. 17207 North Perimeter Drive Scottsdale, AZ 85255

Michael & Sheila Brock 411 Old Forge Hill Road New Windsor, NY 12553

Luis Rosado Maisonet & V Jeannine Rosado Maisonet 409 Old Forge Hill Road New Windsor, NY 12553

Paul & Irma Martini ✓ 407 Old Forge Hill Road New Windsor, NY 12553

Edmond Selby V 405 Old Forge Hill Road New Windsor, NY 12553

Rose Estremera V
21 Vails Gate Heights Drive
New Windsor, NY 12553

Sonnie & Diane Warshaw 23 Vails Gate Heights Drive New Windsor, NY 12553

Ronald & Marie Perry V
25 Vails Gate Heights Drive
New Windsor, NY 12553

Barbara Levy 27 Vails Gate Heights Drive New Windsor, NY 12553

Annette Ziegler 29 Vails Gate Heights Drive New Windsor, NY 12553

David Borrero V
31 Vails Gate Heights Drive
New Windsor, NY 12553

Steven & Ronnie Warshaw 33 Vails Gate Heights Drive New Windsor, NY 12553

Raymond & Grace Skopin V 35 Vails Gate Heights Drive New Windsor, NY 12553

Vincent & Gertrude Schmidt 37 Vails Gate Heights Drive New Windsor, NY 12553

Fredrick & Thelma Zelkind V 39 Vails Gate Heights Drive New Windsor, NY 12553

Stephen & Annelie Coyle 4 41 Vails Gate Heights Drive New Windsor, NY 12553

Meredith Elaine Baker V 43 Vails Gate Heights Drive New Windsor, NY 12553 Martin & Frances Shapirov 45 Vails Gate Heights Drive New Windsor, NY 12553

Leonard & Lucy Hunger 47 Vails Gate Heights Drive New Windsor, NY 12553

Juvencio Navedo 49 Vails Gate Heights Drive New Windsor, NY 12553

Frank Robinson 51 Vails Gate Heights Drive New Windsor, NY 12553

Carmine Pacione V
393 Old Forge Hill Road
New Windsor, NY 12553

Margaret Foley V
55 Vails Gate Heights Drive
New Windsor, NY 12553

Linda Asmann 2317 Tropical Shores Drive SE Street
Petersburh, FL 33705-3344

Sally Scheiner Revocable Trust C/o Scheiner Trustee 14488 Via Royale Delray Beach, FL 33446

Christopher Isaacs & Sandra Jackson 61 Vails Gate Heights Drive New Windsor, NY 12553

David & Edith Herring V
63 Vails Gate Heights Drive
New Windsor, NY 12553

Peter & Lucy Martini P.O. Box 331 Vails Gate, NY 12584

Highland Operating LTD ♥ P.O. Box 479
Washingtonville, NY 10992

Barbara Reed V
76 Guernsey Drive
New Windsor, NY 12553

Christine Castro & Steve Christian 71 Vails Gate Heights Drive New Windsor, NY 12553

James Kilcullen V
73 Vails Gate Heights Drive
New Windsor, NY 12553

Salvatore & Concetta Petrolese¹
75 Vails Gate Heights Drive
New Windsor, NY 12553

Carmine & Norma Luongo V 77 Vails Gate Heights Drive New Windsor, NY 12553

Alberto & Mary Zerneri
79 Vails Gate Heights Drive
New Windsor, NY 12553

Josika Gojka & Adrian Bita 125 Lakeside Road Newburgh, NY 12550

Lewis Thomas & Claudia Rudin V P.O. Box 4253 New Windsor, NY 12553 Glen & Regina Mitchell P.O. Box 16 Cornwall, NY 12518

Eugene & Dorothy Reilly 87 Vails Gate Heights Drive New Windsor, NY 12553

Lionel Garcon & Marie Charles Garcon 89 Vails Gate Heights Drive New Windsor, NY 12553

Ingrid Anderson
91 Vails Gate Heights Drive
New Windsor, NY 12553

Alix & Adel Mariette
93 Vails Gate Heights Drive
New Windsor, NY 12553

Earnest & Ruth Banks 95 Vails Gate Heights Drive New Windsor, NY 12553

John & Marina Reilly V 97 Vails Gate Heights Drive New Windsor, NY 12553

Joel & Talietha Feinberg P.O. Box 951 Vails Gate, NY 12584

William & Diane Marange V 101 Vails Gate Heights Drive New Windsor, NY 12553

Joseph & Doreen Uherec 103 Vails Gate Heights Drive New Windsor, NY 12553

Vincent & Jeanne Kayes 105 Vails Gate Heights Drive New Windsor, NY 12553

Town of New Windsor 555 Union Avenue
New Windsor, NY 12553

Samuel & Norma Wilson V 111 Vails Gate Heights Drive New Windsor, NY 12553

Maxine Raysor C/o Dept. of Housing & Urban Development 26 Federal Plaza
New York, NY 10278-0068

Stephen & Lucia Montone 115 Vails Gate Heights Drive New Windsor, NY 12553

Dominick & Lucille Parisi • 53 Highview Avenue Newburgh, NY 12550

Alton & Theresa Christianson 397 Old Forge Hill Road New Windsor, NY 12553

Jerline & Zelda Ware 401 Old Forge Hill Road New Windsor, NY 12553

Emil Mihalco Jr. & V
Bernice Sapiel
387 Old Forge Hill Road
New Windsor, NY 12553

Windsor Properties C/o Peck & Heller, Mortgage Acct. 2301 Lincoln Bldg, 60 E. 42nd St. New York, NY 10165

Edwin Jr. & Lorayne Wolff 80 Vails Gate Heights Drive New Windsor, NY 12553

Robert & Harriet Klein 82 Vails Gate Heights Drive New Windsor, NY 12553

Hector & Carol Kercado V 84 Vails Gate Heights Drive New Windsor, NY 12553

John Maresca V 86 Vails Gate Heights Drive New Windsor, NY 12553

Mary Nottingham P.O. Box 501 Vails Gate, NY 12584

Kim Bak Man 90 Vails Gate Heights Drive New Windsor, NY 12553

Bernard & Beatrice Dolan 92 Vails Gate Heights Drive New Windsor, NY 12553

Nuncio & Marian Diaz 96 Vails Gate Heights Drive New Windsor, NY 12553

Jose Sr. & Iris Velez 100 Vails Gate Heights Drive New Windsor, NY 12553

Marine Midland Bank¹ 251 Main Street Buffalo, NY 14203

John & Fay Hughes 104 Vails Gate Heights Drive New Windsor, NY 12553

Juan Ortiz Jr. V 106 Vails Gate Heights Drive New Windsor, NY 12553

John Romano Jr. V 108 Vails Gate Heights Drive New Windsor, NY 12553

Thomas & Billie Mae Napolitan¹ 110 Vails Gate Heights Drive New Windsor, NY 12553

Leon Saunders & Ann Barnett 114 Vails Gate Heights Drive New Windsor, NY 12553

Carlos & Julia Martinez
116 Vails Gate Heights Drive
New Windsor, NY 12553

Robert & Linda Mazureck 118 Vails Gate Heights Drive New Windsor, NY 12553

Jeffrey Knight & Veronica Earley 120 Vails Gate Heights Drive New Windsor, NY 12553

John & Luz Mahoney

122 Vails Gate Heights Drive
New Windsor, NY 12553

Lynne Mc Garry 124 Vails Gate Heights Drive New Windsor, NY 12553

Eddie & Kimberly Higgenbotham 126 Vails Gate Heights Drive New Windsor, NY 12553

Robert Sorrentino 5 Milrose Lane Chestnut Ridge, NY 10952

Edward & Anne Lamb 130 Vails Gate Heights Drive New Windsor, NY 12553

Barbara Legese V
134 Vails Gate Heights Drive
New Windsor, NY 12553

William & Virginia Owens
136 Vails Gate Heights Drive
New Windsor, NY 12553

James & Shirley Casey 138 Vails Gate Heights Drive New Windsor, NY 12553

Leonard Benedetto 140 Vails Gate Heights Drive New Windsor, NY 12553

Adeline Gracey
11809 Oakwood Drive
Woodridge, VA 22192

Robert & Jamene Kopman Liv. Tr. W/Robert & Jamene as Trustees 345 Butternut Drive
New Windsor, NY 12553

Richard & Rosemary Forneris 150 Vails Gate Heights Drive New Windsor, NY 12553

Gregory Stegura V
152 Vails Gate Heights Drive
New Windsor, NY 12553

Pat & Patricia Dursi
154 Vails Gate Heights Drive
New Windsor, NY 12553

Samuel Freund 2 Lake Street
Monroe, NY 10950

Longo's Service Station Inc. 362 Windsor Highway New Windsor, NY 12553

356 Windsor Highway Assoc. LLC c/o Grace A. Panella 2 Hearthstone Way New Windsor, NY 12553

P15. Publish immediately. Send bill to: Thomas J. Cione, Esg.

PUBLIC NOTICE OF HEARING Ro. Box 615

Harring Goshan, My 10924

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 13
Request of Bila Partnership
for a VARIANCE of the Zoning Local Law to Permit:
Placement of three facade signs @ proposed video
store @ Shop Rite flaza
being a VARIANCE of Section 48-18 H (b) [1]-Supp. Sign Regs.
or property situated as follows:
366 Windsor Highway, New Windsor, n.y.
nown and designated as tax map Section 65, Blk. 2, Lot 12.
AID HEARING will take place on the 14th day of, 1999 at the New Vindsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 clock P.M.

James Nugent Chairman By: Parricia C. Barnhart, Seey.

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

BIG V TOWN CENTRE

•	# <u>99-13</u>	
Date:	5/13/	99

I.VA	(Name, address and phone of Applicant) (Owner)
	(Name, address and phone of Applicant) (Owner)
·	(Name, address and phone of purchaser or lessee)
·	(Name, address and phone of attorney)
,	(Name, address and phone of contractor/engineer/architect)
II.	Application type:
(
(
	Property Information: (a) C
	See Variance. //A a) Use Variance requested from New Windsor Zoning Local Law, Section, Table of Regs., Col, to allow: (Describe proposal)

hardship. Describe why you feel unless the use variance is grante have made to alleviate the hardsh	unnecessary hardshid. Also set forth	ip will result any efforts you
(c) Applicant must fill out Assessment Form (SEQR) with this	and file a Short En	nvironmental
(d) The property in question County Agricultural District: Ye	is located in or wasNo	within 500 ft. of a
If the answer is Yes, an agricult along with the application as wel within the Agricultural District list from the Assessor's Office.	l as the names of a	all property owners
V. Area variance: NA (a) Area variance requested Section, Table of	from New Windsor Zo	oning Local Law, egs., Col
Requirements Min. Lot Area Min. Lot Width Reqd. Front Yd.		Request
Reqd. Side Yd. Reqd. Rear Yd. Reqd. Street Frontage* Max. Bldg. Hgt. Min. Floor Area* Dev. Coverage* Floor Area Ratio** Parking Area * Residential Districts only		

- ** No-residential districts only
- (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

	_	attach additional paperwork if more space is needed)
/I. S:	a)	Variance: Variance requested from New Windsor Zoning Local Law, Section, Regs.
S: S:	ign ign ign ign	21-61410, 9,x50, 31-0,x10,
aria igns	ice,	Describe in detail the sign(s) for which you seek a and set forth your reasons for requiring extra or over signs are to be attacked to three side.
	nat The in	signs are trademarks and are typical for the stores existence throughout the U.S. the signs are needed name recognition and to attract business.
v (d	ling	What is total area in square feet of all signs on premises signs on windows, face of building, and free-standing signs of square feet.
II.	Inte (a)	rpretation. NA Interpretation requested of New Windsor Zoning Local Law, Section, Table of Regs., Col.
	(b)	Describe in detail the proposal before the Board:

✓ VIII. Additional comments: (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
The September 1998 variance granted a total square i footage for signs in the amount of 440 s.f. The proposed signage total is significantly less than the variance given.
•
IX. Attachments required: Copy of referral from Bldg./Zoning Insp. or Planning Bd. Copy of tax map showing adjacent properties. Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy. Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question. Copy(ies) of sign(s) with dimensions and location. Two (2) checks, one in the amount of \$150.00 and the second check in the amount of \$500.00, each payable to the TOWN OF NEW WINDSOR. Photographs of existing premises from several angles.
18-28
X. Affidavit. Date: 5/(3/89
STATE OF NEW YORK)) SS.: COUNTY OF ORANGE)
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.
(Applicant)
Sworn to before me this 13 day of May, 1999. The part Public State of New York
Mg. 4867286 Quantitat in Orange County Commission Empires Merch 31,40 XI. ZBA Action:

(a) Public Hearing date:

	(b)	Variance: Granted ()	Denied ()		
	(c)	Restrictions or conditions:		,	
-					
1	7.5				
			_	•	

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

BILA PARTNERS

James Sweeney, Esq., Mr. Jeff Rosenburg and Ms. Susan Young appeared before the board for this proposal.

MR. SWEENEY: Good evening, my name is Jim Sweeney and I'm back again.

MR. NUGENT: This is a request for 3 ft. 6 in. sign height/10 ft. sign width for south wall; 3 ft. 6 in. sign height/10 ft. sign width for east well; and 1 ft. 6 in. sign height/10 ft. sign width for west wall of proposed video store at Shop Rite Plaza located in C zone.

MR. SWEENEY: We were here before you I guess a year ago, nobody ever thought about the problem that we're looking at now. This is a freestanding pad that is in the front of the shopping center, going to be and has been leased by Hollywood Video and we have come up against a question, problem, I'm not sure.

MR. NUGENT: Where is it?

I'm not sure we should be here. MR. SWEENEY: shouldn't be, but whatever, but whatever we're here and I'll be guided by how you tell us where we're going. This is an interesting sign, you can see it's a relief sign, it's letter, it's not the traditional sign that is set on a block that's backlighted and so forth. is a relief sign and the letters that you see here and this is pretty good representation of what this would be, from top to bottom is four feet, excuse me, about six feet, give or take an inch or two, overall distance wise, it can range from 20 feet to let me get myself straight, I'm getting mixed up, this is a six foot spread, some of these are smaller on one of these walls, one of them will be smaller, some are going to be four feet, but they are 20 feet from H to 0, okay, what we propose to do is place signage on three of the four walls front, two sides and to the parking lot Nobody thought about it when we were here a year or so ago, whether or not the facade signage variances that you gave us for major tenants, we feel this is a major tenant, took into account going around the sides

of the freestanding building and we have other freestanding buildings too that are going to come up, I guess as we go down the road. But the proposal is to put signage around the three sides, one sign will be smaller, it will be 4 \times 20, the other two front and south side will be 6 \times 20 and picture as you see here is a very good representation of what it will be.

MR. NUGENT: Where is that building going to face?

MR. KANE: Is that going to take the place of Key Bank?

MS. YOUNG: It's going to face 32, so this is the south elevation facing 32 which is right here.

MR. NUGENT: Where the bank going?

MR. ROSENBURG: The bank's right here, it's over here.

MR. SWEENEY: To the left of Burger King as you're looking at it.

MR. NUGENT: Behind Albany Bank.

MR. SWEENEY: So, long and short of it is does the facade variance that you gave us a year or so ago apply to a freestanding or doesn't it? The bottom line is we need a variance to consume three sides of that freestanding building.

MR. NUGENT: When you say freestanding, freestanding sign is one thing, freestanding building is another.

MR. SWEENEY: No, separate pad, it's a 5,000 square foot building, we consider it to be a major tenant and the major tenant variance that you gave us was four foot high by 40 foot maximum, four 40's with a give and take on linear from 75 feet to 225 feet. Now, what we're asking for overall linear from the three sides would be 80 feet, the maximum on the square footage would be 320 square feet, but still we have six feet instead of four feet, so we're not within that category so here we are and what to do I see it as a request for a variance for two feet over the four foot limitation that you placed on major tenants.

MR. TORLEY: Question on the sign measurement that's really critical, really, it's the height of the sign from the bottom of the V to the top of D that's not six feet, is it?

MR. SWEENEY: Yes, two of these of the six feet can be smaller, one of them is going to be four feet.

MR. KANE: What three sides of the building?

MR. SWEENEY: Front and two sides, not the back, not to the parking lot, there, there and there, not facing.

MR. KANE: Does the one, really being devil's advocate, over towards the bank, does that really serve a purpose?

MR. ROSENBURG: That will be all gone.

MR. KANE: I just want to cover that.

MR. TORLEY: Check that because I'm looking at that sketch here, granted that's a sketch, but to me, looks like we've got six foot high but that's not the height of the full sign.

MS. YOUNG: No, the letters are a little bit smaller.

MR. TORLEY: This is on the side of the facade of the building?

MS. YOUNG: Yes.

MR. TORLEY: So raised letters on the facade of the building so wouldn't, Mike, your input on this, if you look at this picture, I don't know if you can see.

MR. BABCOCK: I have plenty of them.

MR. TORLEY: So that rectangular box as being six feet high but the lettering doesn't look like it gets near that.

MS. YOUNG: It's not six feet.

MR. TORLEY: If it's on the side of building, isn't it from the bottom to the top of the letters?

MR. BABCOCK: What we did is square it off for sign background, like we've done in the past.

MR. TORLEY: But is this really a background sign?

MR. NUGENT: For ease of measurement.

MR. BABCOCK: It doesn't have a background, it has the building.

MR. TORLEY: Then I would go from the bottom of the letters to the top.

MR. BABCOCK: Fine, if that's what you want.

MR. TORLEY: That's only my one opinion.

MR. KANE: He's just going by what we've done in the past, we box it out.

MR. TORLEY: But this looks like it's boxed out more if you can, from the bottom of one letter, the bottom of the V to the top of the D, if you can make that four feet.

MR. SWEENEY: Then I don't need to be here.

MR. KANE: How do you rule on the six foot letter that you give a variance for a letter?

MR. ROSENBURG: We don't have six feet letters.

MR. KANE: I saw the picture, I'm going by what you said.

MR. TORLEY: My question is if this is really on the facade of the building, so it's not the raised sign, Mike, in the past, we've done it both ways, depending what's behind the letter if it's the wall of the building behind the letters.

MR. BABCOCK: What difference does it make whether it's a wall or sign back there?

MR. TORLEY: He's got the sign and letters on the wall.

MR. BABCOCK: If they want to give us the measurements, apparently, that's the measurements they gave us.

MR. TORLEY: From the bottom to the top is only four feet and the rest of it is just the wall of the building, it's not separately lit or raised?

MR. SWEENEY: It has architectural, it's painted in the back.

MR. KANE: Paint these designs right here and these over here, that's painted on?

MS. YOUNG: That's architectural lighting. Where is the picture we had?

MR. KANE: Is the lighting considered part of the sign?

MR. BABCOCK: We just kind of squared it off, that's what we did.

MR. TORLEY: I'm not that concerned if we square it off, make it six feet for a variance. What bothers me saying you want, you were here before we gave you a block of variances now we're talking about wrapping signs around three sides of one of the buildings, I don't recall that being part of it.

MR. SWEENEY: No, it wasn't discussed, nobody ever thought about it, no question about it, we didn't discuss it, we didn't think about it.

MR. NUGENT: If I recall that building that they are showing us right now was going to be the bank?

MR. ROSENBURG: Right.

MR. NUGENT: Bank was being torn down from Forge Hill and being moved over.

MR. KANE: And this type of building was going to be up towards where the bank was.

MR. TORLEY: But they never mentioned.

MR. SWEENEY: You're absolutely right.

MR. ROSENBURG: The bank has signs on two sides.

MR. TORLEY: Burger King, that has signs on three sides?

MR. ROSENBURG: They have a sign right in front that we have to move because it doesn't--

MR. SWEENEY: 4×40 we're allowed for this type of a tenant.

MR. TORLEY: Even if it is six feet high, what are you requiring?

MR. KANE: Well, Hollywood is 36 inches.

MS. YOUNG: Hollywood is 36, Video is 24.

MR. TORLEY: You're 4 X 4, you're actually having 6 x 8.

MR. SWEENEY: We're still a foot under.

MR. NUGENT: Request for variances are a lot more than what you're really, if I'm understanding the numbers.

MR. KANE: Numbers are probably because they boxed it off and you're going from the bottom of the individual why on this to the top of the Hollywood even though it doesn't come all the way across.

MR. NUGENT: That's 7 1/2 feet.

MS. YOUNG: Six foot.

MR. NUGENT: We gave you 4, you only need 2 1/2, not 3 1/2.

MS. YOUNG: In the disqualification, are you reading from there?

MR. ROSENBURG: But I don't know whether did you take the original variance into account with this?

MR. BABCOCK: Absolutely not.

MR. SWEENEY: Mike's people, Frank Lisi just decided on the regular zoning law, he didn't apply the variance to the separate pad.

MR. BABCOCK: Mr. Chairman, this was never in front of the board, we just started from scratch. If the board decides whatever they decide, it's fine with us, we're saying we started from scratch because this board--

MR. NUGENT: Didn't we give them a variance for a sign?

MR. BABCOCK: I don't have it with me.

MR. NUGENT: But we gave them one.

MR. BABCOCK: What we did, they brought in the signage from what the whole shopping plaza was going to look like and, you know, said they are going to need this size sign for this building, this building and this building and whatever, this building wasn't included in that.

MR. SWEENEY: No doubt about it.

MR. NUGENT: Whatever we gave him in there doesn't count.

MR. BABCOCK: Well, you know, it's a different building than what you looked at.

MR. TORLEY: It was going to be the bank and there's nothing there.

MR. BABCOCK: It's not even built yet.

MR. SWEENEY: The only thing that it is is a major tenant away from the main structure.

MR. KANE: So the numbers we're looking at are from the regular law?

MR. NUGENT: Forget what he already got.

MR. TORLEY: There's also another block, there are two other major tenants.

MR. ROSENBURG: That's correct, which we'll probably have to do the same thing for those when we start to build those structures, you've got a 10,000 square foot building here which is right here 10,000 square foot building here and this 22,000 these two we're negotiating tenants for this one I don't have one for, but I would assume we'll have to come back for each one of these buildings for a sign variance.

MR. SWEENEY: So, what you do tonight will probably influence what you do later on.

MR. NUGENT: Then my next question has got to be is that the minimum variance that you require?

MR. SWEENEY: On this site on this building, are you happy with that?

MR. NUGENT: Is that a chain?

MS. YOUNG: Yeah, we had 2,000 stores across the U.S.A.

MR. NUGENT: Is that the minimum size sign that they put on these buildings?

MS. YOUNG: Yes, we have down-sized.

MR. ROSENBURG: I requested that we downsize the sign because the original was too big for me, I requested that they downsize the sign and they had a big huge marquee thing which they took off, that's what they started with.

MR. NUGENT: How many feet?

MS. YOUNG: 5,000.

MR. ROSENBURG: That that's the sign on a 5,000 square foot store, so that's what Susan started with and not in front of our shopping center, so she came down.

MR. NUGENT: Mike, I have a question, if we're not considering anything that has been done already, what did you base these numbers on?

MR. BABCOCK: What's allowed by the code.

MR. NUGENT: That's 2 x 10?

MR. BABCOCK: Well, it's 2 1/2 x 10, right.

MR. TORLEY: How many are they allowed?

MR. NUGENT: I understand where you got the numbers, the 20 x 6.

MR. BABCOCK: Right.

MR. TORLEY: My recollection is they are allowed one on each street facing the side of the building.

MR. SWEENEY: Each side of the building I believe you're allowed street side.

MR. KANE: It's not requesting anything for additional signage so--

MR. TORLEY: I don't remember clearly on the other variances cause if you have a number of signs, do you remember?

MR. BABCOCK: I think they are only allowed one, so they need a variance for two.

MR. NUGENT: I don't have a problem with the front.

MS. YOUNG: Front one being the 32 or the front door?

MR. NUGENT: Facing 32, but that's going to bring your biggest part of customers and I really don't have a problem with the one foot six, ten foot on the west

wall.

MS. YOUNG: That's the back of the building.

MR. NUGENT: Why can't that same size sign be put on the other side?

MS. YOUNG: Because the traffic coming on 32 that's over our front door and all the traffic coming, what's that, on 32, north on 32, that's here, that's here, so those people driving down this road won't see this sign until they are right on top of it, the way the building's situated on the site.

MR. TORLEY: So the largest sign?

MS. YOUNG: Is on the south elevation.

MR. NUGENT: Put the larger sign on the north end.

MS. YOUNG: Linear footage on the building is only 63 feet or 85 on the south elevation, it's retail, so this is the side we're talking about, the south elevation that faces 32, this is 85 feet long this elevation, that's the major sign, that's this one right here now the east elevation, why can't we put the smaller sign here, because the way the building's situated on the site, anyone coming down 32 they won't see this sign until they are right here, the way the building is on the site, so the one in the east elevation over the front door.

MR. TORLEY: Then that means people, frankly, people coming north on 32 aren't going to see the building anyway.

MS. YOUNG: So should we be from a disadvantage from the north and south?

MR. TORLEY: Coming down Route 32 from the north where you see that sign people coming around the corner, first of all, people don't come around that corner, they come in through the back.

MS. YOUNG: We expect customers once they know where we

will use the entrance and our biggest competitor is right here, Blockbuster Video.

MR. TORLEY: We're required by code to grant the smallest variances, if any at all, so the smaller you're allowed one large sign now you're asking for two additional signs, two additional signs are not in the code, right?

MR. BABCOCK: Are you having one main entrance to this building or is there more than one?

MS. YOUNG: No, there's the one main entrance on the east elevation.

MR. BABCOCK: So, they're allowed one sign.

MR. KANE: So, we've got to add two sign variances to this.

MR. TORLEY: Architectural features such as, Mike, you know, the architectural features of the building are not counted as signage, right, this lighting and things like that would not be counted as signage?

MR. BABCOCK: No.

MR. TORLEY: That's part of the corporate image, is that enough to say this is what we're--

MS. YOUNG: It's a replication of the Hollywood sign in the Hollywood hills, so everything's got to be in proportion. If we cut down the size of the sign, it's got to be in proportion to the linear footage of the building.

MR. BABCOCK: If you look on the denial for the first denial we did, it's three separate denials, we denied the first sign just based on the size of it, the other two signs are based on one the size plus the maximum amount of wall signs, so it's on the denial.

MS. YOUNG: Again, that's the sign code from its original.

MR. BABCOCK: That's correct.

MS. YOUNG: Not what was granted this property on a variance?

MR. NUGENT: That's why I tried to get it straightened out in the beginning.

MR. TORLEY: The variances granted for Bila were basically 4 x 40?

MR. SWEENEY: 4 x 40 for this kind of a tenant, yes.

MR. TORLEY: This is actually six by what?

MS. YOUNG: So on a square footage basis, it's less.

MR. TORLEY: For one, but you're asking for two more.

MS. YOUNG: Again, going by the variance, the variance went on linear footage of the elevation, so going on that basis, for the south elevation.

MR. SWEENEY: You can stretch it out to 225 feet.

MS. YOUNG: On the south elevation we're over but on the east and the west elevation, we're under the allowance on a square footage basis.

MR. SWEENEY: Linear allowance for a major tenant was 75 to 225 feet maximum area for a major tenant was 160.

MR. TORLEY: Mike, has it been our practice in the past, you're the expert, if somebody has a sign that fits the variance 4 x 10 feet but for lettering purposes he wants to rotate it 90 degrees 10 x 4 feet as long as it doesn't stick over the top of the building, he's still legal, is that correct?

MR. BABCOCK: I don't think so, you know, I think when you give a variance, you're looking at a plan and based on that plan, that's what you're giving the variance from, if you want to give them credit for what they did, I have no objection to that, maybe you should, I think, but I want to board to make that decision and

not us, what we did, we said this board has not seen this plan, let's start all over, you can consider the variance that they already had in considering this, if you'd like to change these numbers, I'll do that too, you know, the signs are the signs, the numbers don't really matter.

MR. TORLEY: But if for signage it actually meets the square footage, it's shorter than is permitted but a little taller.

MR. BABCOCK: But the square footage went away, there's no such thing as square footage for since it's 2 1/2 x 10, that's it, you don't say well, 2 1/2 x 10 is so many square foot so I can make it any way I want, the ordinance says 2 1/2 foot high 10 foot, you can't go 1 foot by 20.

MR. NUGENT: What's the north elevation?

MS. YOUNG: 63, so if we're looking, so you're saying 40 x 40, 160 square feet with the four foot height.

MR. TORLEY: That's not the way the code now reads but we're still stuck on an area variance for one sign and a variance for two more signs.

MR. SWEENEY: That's apparently correct, yeah, so what it's boiling down to if you use the squaring out or use actualities, actuality of the letter is five feet squaring out is 6 feet and we're looking to stretch across 20.

MR. NUGENT: Thirty.

MR. SWEENEY: Twenty.

MS. YOUNG: Squaring out this is actually only 20.

MR. NUGENT: The minimum allowed is 20, so you want a 10 foot variance in length or width?

MS. YOUNG: We're only going 20.

MR. NUGENT: You're allowed 10.

MS. YOUNG: And I guess the question I have so is the determination has been made that we're sticking with the sign code pre-variance?

MR. SWEENEY: What Mike said this wasn't presented to the board as a separate independent sign and wasn't no question about it.

MR. NUGENT: I think you should start from zero.

MR. SWEENEY: Bottom line is this is where we want to end up.

MR. NUGENT: Start from zero.

MR. TORLEY: Also makes it a little more clear to me, it makes it more clear what each structure's going to be if we're starting from zero.

MR. BABCOCK: You start taking into consideration trying to keep a file straight, well, the variance was given here.

MR. SWEENEY: I don't have any problem with that, just give you an idea of where you were before with the other buildings.

MR. ROSENBURG: That's fine, because we'll have to come back each individual tenant like Hollywood Video has a national sign package that they like to have on their buildings and we're dealing only with national tenants for this site, you know, like I guess--

MR. KANE: They need to change at least written denial to add in two additional signs.

MR. BABCOCK: We did that, they are on the denials, it's just not on the agenda. We can straighten that out.

MR. NUGENT: I'll accept a motion.

MR. TORLEY: I move that we set up Bila Partners for their public hearing on their request, the sign

variances for the plan for Hollywood Videos.

MS. OWEN: Before I second it, are we giving them three equal signs?

MR. KANE: We're not giving them anything yet, public hearing.

MS. OWEN: Is that what you're coming for?

MR. SWEENEY: Big sign and two smaller signs.

MS. YOUNG: Each sign is in proportion to the elevation.

MS. OWEN: I'll second it.

ROLL CALL

MS. OWEN AYE
MR. TORLEY AYE
MR. KANE AYE
MR. NUGENT AYE

